

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

KEVIN HOLICK,

Plaintiff,

vs

5:07-CV-1170

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES:

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WALLEN, P.C.
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SOCIAL SECURITY ADMINISTRATION
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DAVID N. HURD
United States District Judge

OF COUNSEL:

GREGORY R. GILBERT, ESQ.

MARIA P. FRAGASSI SANTANGELO, ESQ.
Special Assistant U.S. Attorney

DECISION and ORDER

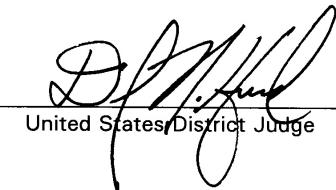
Plaintiff filed this action in November 2007, seeking review of a decision by the Commissioner of Social Security denying his application for disability benefits. By Report-Recommendation dated January 15, 2009, the Honorable Randolph F. Treece, United States Magistrate Judge, recommended that this matter be dismissed due to plaintiff's failure to prosecute. No objections have been filed.

Based upon a careful review of the entire file and the recommendation of Magistrate Judge Treece, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1).

Accordingly, it is ORDERED that the complaint is DISMISSED.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: February 11, 2009
Utica, New York.